

CERTIFICATE OF MAILING, FACSIMILE OR ELECTRONIC TRANSMISSION

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is _____ being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Commissioner for Patents address below.
X being transmitted via the USPTO Electronic Filing System.

/Mark D. Saralino/

Mark D. Saralino

July 9, 2007

Date

Attorney Docket No. OKUDP0116US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Yoshiaki HASEGAWA et al.

Serial No.: 10/537,868

Filing Date: June 7, 2005

For: SEMICONDUCTOR LIGHT-EMITTING ELEMENT AND METHOD FOR
FABRICATING THE SAME

Examiner: John C. Ingham

Art Unit: 2814

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed March 8, 2007, finally rejecting claims 1, 4-14 and 16-19.

The items checked below are appropriate:

1. STATUS OF APPLICANTThis application is on behalf of
X other than a small entity.

___ a small entity.

A verified statement

___ is attached.

___ was already filed on _____.

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

___ small entity \$250.00

X other than a small entity \$500.00Notice of Appeal Fee Due \$500.00

3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

- (a) X Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(3)) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<u> X </u> one month	\$ 120.00	\$ 65.00
<u> </u> two months	\$ 450.00	\$225.00
<u> </u> three months	\$1,020.00	\$510.00
<u> </u> four months	\$1,590.00	\$795.00

Fee \$ 120.00

If additional extension of time is required, please consider this a petition therefor.

 An extension for months has already been secured.
The fee paid therefor of \$ is deducted from the total
fee due for the total months of extension now requested.

Extension fee due with this request \$

OR

- (b) Applicant believes that no extension of term is required.
However, this conditional petition is being made to
provide for the possibility that applicant has inadvertently
overlooked the need for a petition and fee for extension
of time.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$ 500.00

Extension fee (if any) \$ 120.00

TOTAL FEE DUE \$ 620.00

5. FEE PAYMENT

 X Credit card payment via EFS-Web in the sum of \$ 620.00.
 Charge Account No. 18-0988 the sum of \$.
(A duplicate of this transmittal is attached.)

6. FEE DEFICIENCY

 X If any additional extension and/or fee is required,
charge Account No. 18-0988.

and/or

 X If any additional fee for claims is required,
charge Account No. 18-0988.

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By /Mark D. Saralino/
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